



Rep. Jehan A. Gordon

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09700HB1909ham001

LRB097 08075 KMW 54344 a

1 AMENDMENT TO HOUSE BILL 1909

2 AMENDMENT NO. _____. Amend House Bill 1909 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Section 5-1114 as follows:

6 (55 ILCS 5/5-1114) (from Ch. 34, par. 5-1114)

7 Sec. 5-1114. Violation of ordinance.

8 (a) Except as provided in Section 10-302.5 of the Illinois
9 Highway Code or subsection (b) of this Section, in all actions
10 for the violation of any county ordinance, the first process
11 shall be a summons or a warrant. A warrant or summons for the
12 arrest of an accused person may issue from the circuit court
13 upon the affidavit of any person that an ordinance has been
14 violated, and that the person making the complaint has
15 reasonable grounds to believe that the party charged is guilty
16 thereof. Every person arrested upon a warrant or summons shall

1 be taken, without unnecessary delay, before the proper judicial
2 officer for trial.

3 (b) In the case of a violation of the property maintenance
4 code of the county by a repeat offender, service of process
5 against the owner of the property that is the subject of the
6 violation may be a notice to appear. The notice to appear
7 shall, at a minimum, state the address of the property that is
8 the subject of the code violation, the language and citation of
9 the code provision that was violated, the facts that the
10 violation is based on, and the date, time, and location for the
11 appearance by the property owner. The notice to appear shall be
12 served upon the property owner, either personally, or by
13 delivery confirmation mail and first class mail. The violation
14 notice shall be sent to the address where the violation is
15 observed and to the property owner's address on file with the
16 Supervisor of Assessments office. The county shall
17 simultaneously post the notice on the property where the
18 violation occurred. If the owner of the property fails to
19 appear in response to the notice, the Court may issue a warrant
20 or summons in accordance with subsection (a) of this Section.
21 For the purposes of this Section, "repeat offender" means a
22 person who has been found guilty of 2 or more violations of a
23 property maintenance code.

24 (Source: P.A. 89-120, eff. 7-7-95.)".